

REMARKS

Claim 1 has been amended to include the subject matter of former dependent claims 4 and 5. Claims 4 and 5 were rejected based on Yokota under Section 102, claiming that Yokota teaches evaluating sharpness inherently on a pixel-by-pixel basis.

However, nothing in the cited reference is pointed to as substantiating inherency. According to M.P.E.P. § 2112, in order to be inherent, the device must necessarily function in the claimed fashion. Since it is conceded that Bender does not teach evaluating sharpness on a pixel-by-pixel basis, there necessarily are other ways to perform the sharpness evaluation, including evaluating a group of pixels or an image portion, rather than on a pixel-by-pixel basis. The only discussion in Yokota of evaluating sharpness talks about finding information on unsharp widths. See column 6, lines 2-6.

Thus, as a matter of law, a finding of inherency cannot stand. Clearly, then, Yokota cannot possibly be evaluating sharpness in a pixel-by-pixel basis.

Therefore, reconsideration of the rejection is respectfully requested.

Claims 4 and 5 were also rejected as obvious over Bender. Official notice was taken that it was well known in the art to analyze individual pixels or groups of pixels. But, even if this is so, the taking of official notice is still not commensurate with the scope of the claim.

Just because it is known to analyze pixels does not mean that it is known to analyze pixels on a pixel-by-pixel basis for sharpness. There is absolutely no rationale pointed to in the single reference rejection that would justify modifying that reference.

In other words, nothing about the official notice or the reference itself substantiates any rationale to modify the reference to perform sharpness evaluations on a pixel-by-pixel basis. This is especially so since Bender himself does no such thing and the official notice has nothing to do with evaluating sharpness.

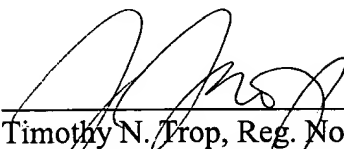
Therefore, reconsideration of rejection of claim 1, as amended, is respectfully requested.

Furthermore, claim 6 has been amended to specify that the alpha channel stores no color information. No such thing is shown in any of the cited references and, therefore, claim 6 should be in condition for allowance.

The other claims have been amended correspondingly and, therefore, likewise, should be in condition for allowance.

Respectfully submitted,

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